



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)  
Denise Carlon, Esquire  
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PNC BANK, NATIONAL ASSOCIATION

Order Filed on September 7, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:  
Joseph C. Cannizzaro  
Debtor.

Case No.: 19-31918 RG

Adv. No.:

Hearing Date:

Judge: Rosemary Gambardella

**CONSENT ORDER CURING POST PETITION DEFAULT AND REINSTATING STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: September 7, 2023**

  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

(Page 2)

Debtor: Joseph C. Cannizzaro

Case No: 19-31918 RG

Caption of Order: CONSENT ORDER RESOLVING DEFAULT AND REINSTATING AUTOMATIC STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC BANK, NATIONAL ASSOCIATION, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 12 William Street, Lincoln Park, NJ 07035 Morris, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and James C. Zimmerman, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 24, 2023 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due June 2023 through August 2023 for a total post-petition default of \$5,241.23 (3 @ \$2,093.08 less suspense of \$1,038.01); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,241.23 shall be paid in full by September 1, 2023; and

It is **ORDERED, ADJUDGED and DECREED** that the Debtor make regular mortgage payments, outside the Chapter 13 Plan, beginning September 1, 2023, directly Secured Creditor (Note: The amount of the monthly mortgage payment is subject to change according to the terms of the mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor is

hereby awarded reimbursement of fees in the sum of \$500.00, which is to be paid through the Debtor's Chapter 13 Plan.

It is **FURTHER ORDERED, ADJUDGED and DECREED** that request to impose an automatic stay, are hereby resolved.

I hereby agree and consent to the above terms and conditions:

Dated:

8/29/23

James C. Zimmermann, Attorney for Plaintiff

I hereby agree and consent to the above terms and conditions:

Dated: 8/24/2023

/s/ Denise Carlon

Denise E. Carlon, Attorney for Defendant